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Dkt. 0575/60849/JPW/APE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Paul B. Fisher, et al.

Serial No.: 09/515,363

Filed : February 29, 2000

For : MELANOMA DIFFERENTIATION ASSOCIATED GENE  
(Mda-5), PROMOTER AND USES THEREOF

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1185 Avenue of the Americas  
New York, New York 10036  
December 1, 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

**COMMUNICATION IN  
REPLY TO THE NOVEMBER 1, 2000  
COMMUNICATION REGARDING SEQUENCE LISTING AND DISCLOSURES**

This Communication is submitted in reply to the November 1, 2000 Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures issued by the United States Patent and Trademark Office in connection with the above-identified application. A reply to the November 1, 2000 Communication is due December 1, 2000. Accordingly, this Communication is being timely filed.

**Sequence Listing**

The Examiner stated that this application contains sequence disclosures that are encompassed by definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. §1.821(a)(1) and (a)(2). The Examiner stated that the this application fails to comply with the requirements of 37 C.F.R. §1.821 through 37 C.F.R. §1.825 for the reason set forth in Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures, attached hereto as **Exhibit A**.

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In reply, applicants submit herewith a Sequence Listing attached hereto as **Exhibit B** in compliance with the requirements of 37 C.F.R. §1.824. In addition, applicants submit herewith a computer readable form (diskette) containing the Sequence Listing in ASCII (DOS) format, which has the same content as the paper copy attached as Exhibit B. Applicants submit as **Exhibit C**, a Statement of Compliance Under 37 C.F.R. §1.821(f). Applicants believe that in view of the submitted disk and Statement of Compliance under 37 C.F.R. §1.821(f) certifying that the computer readable form containing the nucleic acid and/or amino acid sequences required by 37 C.F.R. §1.821(f) and submitted in connection with the above-identified application, has the same information which is submitted herewith as Exhibit B entitled "Sequence Listing".

Thus, applicants maintain that the subject application now fully complies with the requirements of 37 C.F.R. §1.821 through §1.825 and request that the Examiner withdraw this objection.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone at the number provided below.

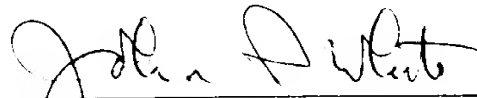
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No fee is deemed necessary in connection with the filing of this Communication. However, if any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

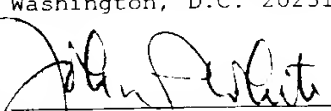
Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231.

 12/1/00  
John P. White  
Reg. No. 28,678  
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Reg. No. 42,812

Date